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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/470,377	12/22/1999	MASATO NISHIKAWA	TAIYO40.001A	6066

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EXAMINER

LANEAU, RONALD

ART UNIT PAPER NUMBER

2674

DATE MAILED: 02/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/470,377

Applicant(s)

NISHIKAWA ET AL.

Examiner

Ronald Laneau

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14, 16-18, 20, and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 8-11, 16-18 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Amendment

1. The amendment filed on 12/10/02 has been entered. Claims 15 and 19 have been canceled and claims 1-14, 16-18, 20, and 21 are now pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 8-11, and 16-18, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshimasa et al (EP 0 884 691 A2).

As per claim 1, Yoshimasa et al teach a touch operating input device 5 comprising a display device 2 for displaying operation function items and a touch panel 5 which is provided separately from the display device 2 and which is selecting the function items by touch operation, wherein a touch-operation guide shape is formed on the touch –operation face of said touch panel (col. 6, lines 10-19, fig. 1). Yoshimasa et al teach a touch-operation input device further comprising control means for controlling said display device to display an image representing the touch-operation guide shape, the image being overlapped with the operation function items (fig. 8).

As per claim 2, Yoshimasa et al teach a touch-operating input device wherein the touch-operation guide shape is at least one of a convex shape and a concave shape (fig. 3).

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As per claims 8 and 9, Yoshimasa et al teach a touch-operating input device wherein a plurality of at least one of the convex shape and the concave shape are arranged in a predetermined direction on the touch-operation and wherein plural pairs of the at least one of the convex shape and the concave shape arranged in the predetermined direction are arranged in a direction intersecting the predetermined direction.

As per claims 10 and 11, Yoshimasa et al teach a touch-operation input device 5 wherein at least one of the convex shape and the concave shape is disposed at least one position serving as a reference for determining a position on the touch-operation face and wherein the concave shape is a protruding shape and the concave shape is a recessed shape (fig. 3).

As per claim 16, Yoshimasa et al teach a display system comprising a display device for displaying the operation function items and the touch-operation input device (fig. 1, 2).

As per claim 17, Yoshimasa et al teach a display system wherein said display device displays an image representing the touch-operation face, the image being overlapped with the operation function items (col. 6, lines 10-19, fig. 1).

As per claim 18, Yoshimasa et al teach a display system wherein a relative position in the image and a relative position on the touch-operation face correspond with each other (fig. 1, 2, 3).

As per claim 20, Yoshimasa et al teach a touch-operation for a touch-operating input device 5 comprising a display device 2 for displaying operation function items and a touch panel 5 which is provided separately from said display device 2 and which is for selecting the function items by touch operation, wherein a touch-operation guide shape is provided on a touch-operation face of said touch panel (col. 6, lines 10-19, fig. 1). Further, Yoshimasa et al teach a

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touch-operation assisting method wherein an image representing the touch-operation face is displayed on said display device 2, the image being overlapped with the operation function items (col. 6, lines 10-19, fig. 1).

Allowable Subject Matter

4. Claims 3-7, 12-14, and 21 are allowed.

Claims 3-7 and 12-14 are allowed for the same reasons given in previous action.

As per claim 21, a touch-operating input device wherein a touch-operating guide shape is formed on the touch-operation face of said touch panel, said touch-operation guide shape is at least one of a convex shape and a concave shape, wherein at least one of the convex shape and the concave shape is disposed at a center portion serving as a reference for determining a position on the position on the touch-operation face.

Response to Arguments

5. Applicant's arguments filed 12/10/02 have been fully considered but they are not persuasive.

Applicant argues that Yoshimasa does not teach that an image of the protruding brackets is displayed on a monitor, or operation function items are superposed on the image. Examiner respectfully disagrees that applicant is arguing limitations that are not in the claims as far as an image of the protruding brackets is displayed on the monitor. As far as "operation function items are superposed on the image," although Yoshimasa does not explicitly teach an image being

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overlapped with the operation function items but it is inherent that the image taught by Yoshimasa can be overlapped as claimed. Therefore, the rejection finally stands.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is 703-305-3973. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6:00 PM or via email: ronald.laneau@uspto.gov.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached at 703-305-4709.

8. **Any response to this final action should be mailed to:**

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BOX AF

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or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703) 306-0377.

Ronald Laneau
Examiner
Art Unit 2674



**RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**

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February 21, 2003